

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Hilda A Natta
Debtor(s)

Bankruptcy Case No.: 17-70314-JAD
Issued Per Nov. 7, 2019 Proceeding
Chapter: 13
Docket No.: 62 – 52, 59, 60
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated September 26, 2019 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to it's administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☒ H. Additional Terms: Counsel fees are based on a retainer of \$471. The claim of G.A.P. Federal Credit Union (Claim No. 9) shall not be paid due to surrender of collateral.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.

Dated: November 18, 2019

Jeffery A. Deller
United States Bankruptcy Judge

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Hilda A Natta
 Debtor

Case No. 17-70314-JAD
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-7

User: jhel
 Form ID: 149

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 Total Noticed: 29

Date Rcvd: Nov 18, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 20, 2019.

db +Hilda A Natta, c/o Cheri Aiman, 628 Irwin Run Road, West Mifflin, PA 15122-1010
 cr +Nationstar Mortgage LLC, Robertson, Anschutz & Schneid, P.L., 6409 Congress Ave., Suite 100,
 Boca Raton, FL 33487, U.S.A 33487-2853
 cr +Specialized Loan Servicing LLC, 8742 Lucent Blvd, Suite 300, Highlands Ranch, CO 80129-2386
 14407051 ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238
 (address filed with court: Bank Of America, Po Box 982238, El Paso, TX 79998)
 14651957 +Bank of America, N.A., P O Box 982284, El Paso, TX 79998-2284
 14660114 Capital One, N.A., c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
 14407053 +Chase Card, Attn: Correspondence Dept, Po Box 15298, Wilmington, DE 19850-5298
 14681753 ++NATIONSTAR MORTGAGE LLC, PO BOX 619096, DALLAS TX 75261-9096
 (address filed with court: Nationstar Mortgage, LLC, ATTN: Bankruptcy Department,
 P.O. Box 619096, Dallas, TX 75261-9741)
 14407060 +Nationstar Mortgage, LLC, 8950 Cypress Waters Boulevard, Coppell, TX 75019-4620
 14407061 +Prime Solutions, LLC, 520 Mendocino Avenue, Suite 330, Santa Rosa, CA 95401-5255
 15116320 +Specialized Loan Servicing LLC, 8742 Lucent Blvd, Suite 300,
 Highlands Ranch, Colorado 80129-2386
 14882969 +Wells Fargo Bank, N.A., 1 Home Campus, Attention: Payment Processing, MAC #X2302-04C,
 Des Moines IA 50328-0001
 14756123 +Wells Fargo Bank, N.A., Attn: Payment Processing, MAC #X2302-04C, One Home Campus,
 Des Moines, IA 50328-0001

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14407052 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Nov 19 2019 03:47:04 Capital One,
 Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
 14407054 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Nov 19 2019 03:45:27 Comenity Capital/mprc,
 Po Box 182125, Columbus, OH 43218-2125
 14407055 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Nov 19 2019 03:45:27 Comenitycapital/bosco,
 Comenity Bank, Po Box 182125, Columbus, OH 43218-2125
 14407056 +E-mail/Text: gapcollections@atlanticbb.net Nov 19 2019 03:46:01 G A P Federal Credit U,
 111 Franklin St Rm 224, Johnstown, PA 15901-1876
 14407057 +E-mail/Text: gapcollections@atlanticbb.net Nov 19 2019 03:46:01 GAP FCU, 194 Donald Lane,
 Suite #3, Johnstown, PA 15904-2840
 14407058 +E-mail/Text: bncnotices@becket-lee.com Nov 19 2019 03:45:20 Kohls/Capital One,
 Kohls Credit, Po Box 3043, Milwaukee, WI 53201-3043
 14678647 E-mail/PDF: resurgentbknofications@resurgent.com Nov 19 2019 03:47:13
 LVNV Funding, LLC its successors and assigns as, assignee of SALLIE MAE BANK,
 Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 14745463 E-mail/PDF: resurgentbknofications@resurgent.com Nov 19 2019 03:48:23
 LVNV Funding, LLC its successors and assigns as as, PO Box 10587,
 Greenville, SC 29603-0587
 14407059 +E-mail/Text: bk@lendingclub.com Nov 19 2019 03:46:04 Lending Club Corp, 71 Stevenson St,
 Suite 300, San Francisco, CA 94105-2985
 14672948 +E-mail/Text: bankruptcydpt@mcmcg.com Nov 19 2019 03:45:44 MIDLAND FUNDING LLC,
 PO BOX 2011, WARREN, MI 48090-2011
 14408041 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Nov 19 2019 03:49:20
 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 14644246 E-mail/Text: bnc-quantum@quantum3group.com Nov 19 2019 03:45:32
 Quantum3 Group LLC as agent for, MOMA Funding LLC, PO Box 788, Kirkland, WA 98083-0788
 14407062 +E-mail/PDF: gecsedirecoverycorp.com Nov 19 2019 03:46:59 Synch/wolf Furniture,
 Po Box 965064, Orlando, FL 32896-5064
 14680077 +E-mail/PDF: gecsedirecoverycorp.com Nov 19 2019 03:46:58 Synchrony Bank,
 c/o PRA Receivables Management, LLC, PO Box 41021, Norfolk VA 23541-1021
 14407063 +E-mail/PDF: gecsedirecoverycorp.com Nov 19 2019 03:48:04 Synchrony Bank/Sams,
 Po Box 965060, Orlando, FL 32896-5060
 14407064 +E-mail/PDF: gecsedirecoverycorp.com Nov 19 2019 03:49:09 Synchrony Bank/Walmart,
 Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-0001

TOTAL: 16

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr NATIONSTAR MORTGAGE LLC
 cr Wells Fargo Bank, N.A.
 cr* +PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021

TOTALS: 2, * 1, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
 pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

District/off: 0315-7

User: jhel
Form ID: 149

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Total Noticed: 29

Date Rcvd: Nov 18, 2019

***** BYPASSED RECIPIENTS (continued) *****

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 20, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 18, 2019 at the address(es) listed below:

James Warmbrodt on behalf of Creditor NATIONSTAR MORTGAGE LLC bkgroup@kmlawgroup.com
Karina Velter on behalf of Creditor Wells Fargo Bank, N.A. amps@manleydeas.com
Kenneth P. Seitz on behalf of Debtor Hilda A Natta thedebterasers@aol.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteewdpa.com

TOTAL: 5